

09/936994

JCDS Rec'd PCT/PTO

19 SEP 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Masayuki MATSUI et al. : Attn: **BOX PCT**

Serial No. NEW : Docket No. **2001_1309A**

Filed September 19, 2001

FORMED CHOCOLATE AND PROCESS FOR
PRODUCING THE SAME

[Corresponding to PCT/JP00/02050

Filed March 30, 2000]

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents,
Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of [X] the references listed on attached form PTO-1449 and/or [] the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in international application no. PCT/JP00/02050.

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing date of the first Office Action on the merits,

and thus no certification and/or fee is required.

- 1b. This Information Disclosure Statement is submitted
after the events of above paragraph 1a and prior to the mailing date of a final Office
Action or a Notice of Allowance or an action which otherwise closes prosecution in the
application, and thus:
(1) the certification of paragraph 2 below is provided, **or**
(2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.
- 1c. This Information Disclosure Statement is submitted:
after the mailing date of a final Office Action or Notice of Allowance or action which
otherwise closes prosecution in the application, and prior to payment of the issue fee, and
thus:
the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.
2. It is hereby certified
- a. that each item of information contained in this Information Disclosure Statement
was first cited in any communication from a foreign patent office in a counterpart
foreign application not more than three months prior to the filing of the
Statement, or
 - b. that no item of information contained in the Information Disclosure Statement
was cited in a communication from a foreign patent office in a counterpart
foreign application and, to the knowledge of the person signing the certification
after making reasonable inquiry, was known to any individual designated in
§1.56(c) more than three months prior to the filing of the Statement.
3. Consideration of the following list of additional information (including any copending or
abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference
is made to:

JULY 10 2001 19 SEP 2001

- a. a full or partial English language translation submitted herewith,
 - b. a foreign patent office search report (in the English language) submitted herewith,
 - c. the concise explanation contained in the specification of the present application at page,
 - d. the concise explanation set forth in the attached English language abstract,
 - e. the concise explanation set forth below or on a separate sheet attached to the reference:
5. A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Masayuki MATSUI et al.

By Warren Cheek Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicants

WMC/dlk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
September 19, 2001

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: September 19, 2001

ATTY DOCKET NO.
2001_1309ASERIAL NO.
NEW

09/936994

APPLICANT
Masayuki MATSUI et al.FILING DATE
September 19, 2001

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AJ	58-198245	11/1983	JP			
	AK	63-56250	3/1988	JP			
	AL	4-173053	6/1992	JP			
	AM	4-197133	7/1992	JP			
	AN	427309	5/1991	EP			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	Stern, P. et al., "Relation between rheological and sensory properties of fat foams", <i>Rheologica Acta</i> , (1988), Suppl., pp. 457-458.
	AP	
	AQ	

EXAMINER

DATE CONSIDERED